

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

4
PATENT
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10-22-99

Applicant : Zaghouni, H.) Group Art Unit 1644
Appl. No. : 09/111,123) CERTIFICATE OF FAX TRANSMISSION
Filed : July 6, 1998) I hereby certify that this correspondence and all
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METHODS FOR THE) on the date shown below:
ENDOCYTIC)
PRESENTATION OF)
IMMUNOSUPPRESSIVE)
FACTORS)
Examiner : NOLAN, P.)

October 21, 1999
(Date)
James J. Mulvan III, Ph.D., Reg. No. 44,957

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the requirement for restriction dated September 21, 1999, Applicants provisionally elect, with traverse, to prosecute the claims of Group I. Group I, as noted by the Examiner in the subject Official Action, comprises Claims 1-7, which are drawn to a fusion polypeptide, classified in class 512, subclass 12. Notwithstanding the provisional election, Applicants respectfully reserve the right to rejoin any nonelected claims in view of the rejoinder doctrine articulated by the Federal Circuit in *In re Ochiai*, 77 F.3d 1565 (1995), and in *In re Browner*, 77 F.3d 422 (1996), and as discussed in Section 821.04 of the MPEP.

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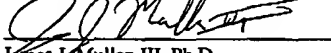
Appl. No. : 09/111,123
Filed : July 6, 1998

No fees are seen as being necessary in connection with this Response. However, the Commissioner is authorized to charge any fees in connection with this paper to Deposit Account No. 11-1410. A copy of the accompanying transmittal is attached for this purpose.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 21 OCT 1999

By: 
James J. Mullen III, Ph.D.
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RESPONSE TO WRITTEN RESTRICTION REQUIREMENT

TO: Examiner P. Nolan
 FIRM: USPTO - GROUP ART UNIT 1644
 FACSIMILE NO.: (1-703-305-3704)
 FROM: James J. Mullen III, Ph.D., Reg. # 44,957
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MESSAGE: Attached for filing in Application No. 09/111,123; filing date July 6, 1998 are:
 Transmittal in duplicate;
 Restriction Requirement in 2 pages.

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PATENT

Case Docket No. ALLIA.143CP2
Date: October 21, 1999

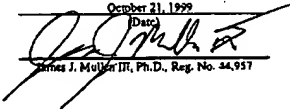
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Zaghouani, H.
Appl. No. : 09/111,123
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Examiner : P. Nolan
Group Art Unit : 1644

CERTIFICATE OF FAX TRANSMISSION

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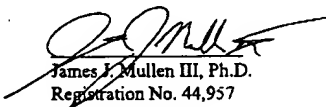
TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Response to Restriction Requirement in 2 pages.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410. A duplicate copy of this sheet is enclosed.
- (X) Return prepaid postcard.


James J. Mullen III, Ph.D.
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